From:	Cook, Brian
To:	Trials
Cc:	PTAB; Fink, Tim; Haber, Ben; Whilt, Nicholas; Baxter, Jeff
Subject:	IPR2024-00002 -- Request for authorization to file preliminary reply
Date:	Thursday, February 8, 2024 2:07:45 PM

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Dear Honorable Board,

Petitioner Samsung respectfully seeks authorization to file a 5-page reply to the POPR filed January 17, 2024 in IPR2024-00002 to address certain legal and factual characterizations raised in Patent Owner's filing. Specifically, the preliminary reply would address the following: (1) Patent Owner's argument for denial under Section 325(d) based on a secondary reference that was not considered during prosecution; (2) Patent Owner's argument that the prior art does not disclose scrolling cards that occupy the "entire digital matrix display;" and (3) Patent Owner's argument that Duarte does not disclose causing "several available cards to scroll past."

Separately, on February 7, 2024 and with Board authorization, Petitioner filed the *Sotera* stipulation it lodged in related Case No. 2:23-cv-000873-RWS-RSP (EDTX) in each of IPR2024-00002, IPR2024-00006, IPR2024-00040, and IPR2024-00041. Petitioner understands that *Sotera* stipulation to dispose of the *Fintiv* issue in each case. However, if the Board would prefer Petitioner to address this issue in a paper, Petitioner requests authorization to address Patent Owner's arguments for discretionary denial under Section 314(a), as well, in the requested reply here and in the related proceedings.

Counsel for Patent Owner is copied on this request. Patent Owner opposes this request. Petitioner would not oppose a sur-reply of the same length, if requested.

Should the Board require further information, the parties will make themselves available for a telephonic conference.

Regards,
Brian Cook

O'Melveny

Dr. Brian M. Cook
Partner
bcook@omm.com
O: +1-213-430-6496

O'Melveny & Myers LLP
400 South Hope Street, 18th Floor
Los Angeles, CA 90071
Website | LinkedIn | Twitter | Bio

This message and any attached documents contain information from the law firm of O'Melveny & Myers LLP that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or

use this information. If you have received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.